

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38115 of 2026

Arising Out of PS. Case No.-149 Year-2026 Thana- DIGHWARA District- Saran

Umesh Kumar Paswan @ Umesh Manjhi Son of Late Shivji Paswan Resident
of Village -Harji PS -Awtarnagar District -Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 14-07-2026 The matter has been listed under the heading ‘To Be
Mentioned’ at the instance of the petitioner by filing
interlocutory application bearing I.A. No. 1 of 2026 for early
hearing of the matter on the ground of death of the mother of the
petitioner.

2. In compliance of oral order, learned APP for the
State, after having telephonic communication with the SHO
concerned, submits that the factum regarding death of the
mother of the petitioner is true.

3. The petitioner seeks bail in connection with
Dighwara P.S. Case No. 149 of 2026 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.



4. The prosecution case, in short, is that total 8.5 litres of liquor has been recovered from plastic bag.

5. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner, rather the recovery has been made from a plastic bag which does not belong to the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 12.04.2026 and has five criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dighwara P.S. Case No. 149 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

9. Accordingly, I.A. No. 1 of 2026 stands disposed of.

(Rudra Prakash Mishra, J)

Alok Verma/-

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